

AFTER ACTION AGENDA

REGULAR CITY COMMISSION MEETING MONDAY, MARCH 2, 2015 6:30 P.M.

**DELTONA COMMISSION CHAMBERS
2345 PROVIDENCE BLVD.
DELTONA, FLORIDA**

AGENDA

1. CALL TO ORDER
2. ROLL CALL - CITY CLERK
3. INVOCATION AND PLEDGE TO THE FLAG:
 - A. Invocation Presented by Vice Mayor Schleicher – VCSO Senior Chaplain, Mike Carroll.
4. APPROVAL OF MINUTES & AGENDA:
 - A. Approval of Minutes –Regular City Commission Meeting of February 16, 2015.

The Commission voted unanimously to approve the minutes of the Regular City Commission Meeting of February 16, 2015, as presented.
 - B. Additions or Deletions to Agenda.
5. PRESENTATIONS/AWARDS/REPORTS:
 - A. Presentation – Super Star Student of the Month Certificates for February, 2015.
6. CITY COMMISSION SPECIAL REPORTS:
7. PUBLIC FORUM – Citizen comments for any items.
(4 minute maximum length)

CONSENT All items marked with an * will be considered by one motion unless removed
AGENDA: from the Consent Agenda by a member of the City Commission. If an item is removed for clarification only, it will be discussed immediately following action on the Consent Agenda. If an item is removed for further discussion, it will be discussed under New Business immediately following the last listed item.

8. CONSENT AGENDA:

***A. Request for approval of First Amendment to Interlocal Agreement Between the City of DeLand, City of Deltona, City of Orange City, and County of Volusia, to Install Reclaimed Water System Interconnects.**

On March 3, 2014 the Deltona City Commission approved and executed the Interlocal Agreement to Install Reclaimed Water System Interconnects with the City of DeLand, City of Orange City, and Volusia County. The agreement provided a formula for funding 60% of the estimated cost of construction with the understanding the St. Johns River Water Management District would fund the remaining 40% of the project. The agreement would facilitate the transfer of reclaimed water between member utilities and the members will be constructing a series of pipeline and meter/control assemblies for this purpose. Additionally, the agreement stated that the Suppliers desire to authorize necessary construction phase professional services to include contract and grant administration, shop drawing review, resident project observation and construction inspections, understanding that the cost of such services are not eligible for grant funding by the District. Therefore any such authorization will require an amendment to the original agreement.

This First Amendment contains a provision for the water suppliers to share in the cost of the CEI services which were not a part of the original agreement. In this First Amendment the City of Deltona will contribute \$57,284 for the CEI services which is budgeted in 2014/2015 CIP budget of Deltona Water. The City of Deltona will contribute \$8,000 for proposed attorney fees of Holland and Knight, \$12,000 for attorney's fee on Farnton Agreement, and \$18,500 for geotechnical services during 2015 which is budgeted for in the 2014/2015 CIP Alternative Water Supply. The Interlocal Agreement and this First Amendment stipulate that the City of DeLand shall be the Project Administrator for construction of the project and attendant CEI services. Therefore, the City of DeLand will invoice the Suppliers for their share of costs as formulated in the original agreement of March 3, 2014.

Approved by Consent Agenda - to approve the First Amendment to Agreement Between the City of DeLand, City of Deltona, City of Orange City, and County of Volusia, to Install Reclaimed Water System Interconnects.

***B. Request for approval of Interlocal Agreement for the Operation, Administration, and Maintenance of Reclaimed Water Interconnects.**

On March 3, 2014 the City of Deltona entered into a separate agreement titled the "Agreement between the City of DeLand, City of Deltona, City of Orange City, and County of Volusia to Install Reclaimed Water Systems Interconnects". Pursuant to the Interconnect Installation Agreement the Cities and the County of

Volusia will jointly fund (with 40% match from St. Johns River Water Management District) the installation of reclaimed water mains and related valves, meters, and meter vaults, for the purposes of being able to exchange water between and amongst the respective utility systems. The City of DeLand is designated to serve as the project administrator responsible for overseeing construction of the Interconnect Facilities.

The Interlocal Agreement for the Operation, Administration, and Maintenance of Reclaimed Water Interconnects and Exhibit "A" defines the ownership, operations, administration, and maintenance of the reclaimed water interconnects. Each government entity will do so, for the portions of the interconnect reclaimed mains within their service areas. The term of the agreement for the purchase and sale of water shall be for five (5) years and the contract shall automatically renew for additional five (5) year periods.

Approved by Consent Agenda - to approve the Interlocal Agreement for the Operation, Administration, and maintenance of Reclaimed Water Interconnects.

C. Request for approval of Resolution No. 2015-04, amending the City Commission Operating Guidelines and Meeting Rules and Procedures.

At the Commission Workshop held on Monday, February 9th, the Commission concurred to make several changes to the City Commission Operating Guidelines and Meeting Rules and Procedures.

After discussion, the Commission voted unanimously to approve Resolution No. 2015-04 and the City Commission Operating Guidelines and Meeting Rules and Procedures as amended.

***D. Request for approval of Resolution No. 2015-05, declaring certain property of the City as surplus and authorizing the sale or disposal of such property.**

Over time certain items of the City become obsolete or lose their usefulness and are either replaced, upgraded or are no longer functional and need to be declared surplus or disposed of by the most appropriate means available.

The Resolution declares certain property as surplus as it has long outlived its usefulness. The City has been using GovDeals for disposal of assets. This has been more profitable than the live auctions that were done in the past. Most items will be auctioned this way. GovDeals auctions are open to the public.

Approved by Consent Agenda - to adopt Resolution No. 2015-05 declaring certain property of the City as surplus and authorizing the sale or disposal of such property.

9. ORDINANCES AND PUBLIC HEARINGS:

A. Public Hearing – Resolution No. 2015-02, Conditional Use Application CU15-001 for Iglesia De Dios Pentecostal Church.

The City received an application for a Conditional Use, CU15-001, to expand a house of worship, Iglesia De Dios Pentecostal Church, within an R-1, Single Family Residential zoning district. The house of worship was built in 1982, has outgrown the existing space, and plans to expand the building and the parking area to meet the needs of the growing congregation. A house of worship is not a principle permitted use in the R-1 district and expansion of such a facility requires Conditional Use approval.

Expansion of the church's facilities at this location is consistent with the existing land use present on-site, its proximity to the low density residential neighborhood to the north, and is buffered to the east and south from residential neighborhoods by existing dense vegetation. The site is also located along a City thoroughfare to accommodate additional traffic generation from the expanded facility.

With the conditions of approval listed that follows existing City regulations, expansion of the church is consistent and compatible with the City's Comprehensive Plan and Land Development Code. Finally, the Planning and Zoning Board voted unanimously on February 18, 2015, that the City Commission approve Resolution No. 2015-02, Conditional Use application for Project No. CU15-001.

After discussion, the Commission voted unanimously to approve Resolution No. 2015-02 (CU15-001), allowing for the expansion of the house of worship and its parking facilities that are located at 840 Fort Smith Boulevard; subject to the following Conditions of Approval:

1. Per Section 110-817 of the City Code of Ordinances, buildings on-site are required to be no closer than 50 feet from any property line; and

2. Off-street parking areas shall meet the landscape buffer and parking lot surface requirements listed in the Code of Ordinances.

B. Ordinance No. 02-2015, amending Chapter 14, “Animals,” by adding Article VII “Chickens” providing for a one year trial period for the issuance of limited number of special permits which allow the keeping of chickens in limited numbers and under specific conditions, at first reading and to schedule second and final reading.

The City Commission has discussed the topic of allowing chickens within the City limits since 2012. At the Regular City Commission Meeting held on Monday, July 13, 2013 the Commission concurred to not discuss the chicken issue any further.

Since then the issue has come up several times during both regular and workshop meetings and the Commission concurred to revisit the Ordinance at a workshop.

At the Commission Workshop held on February 9, 2015 the Commission concurred to have the City Attorney revise Ordinance No. 02-2015 and bring it before the Commission for first reading at the Regular City Commission to be held on Monday, February 16, 2015.

After discussion, the Commission voted 4 to 3 (Commissioner Herzberg, Commissioner Nabicht and Vice Mayor Schleicher voted against the motion) to adopt Ordinance No. 02-2015, amending Chapter 14, "Animals," by adding Article VII "Chickens" providing for a one year trial period for the issuance of limited number of special permits which allow the keeping of chickens in limited numbers amending the setbacks to the standard setback and requiring a Florida Code Building permit for any structure over 100 square feet under specific conditions, at first reading and to schedule second and final reading.

10. **OLD BUSINESS:** None.
11. **NEW BUSINESS:** None.
12. **CITY ATTORNEY COMMENTS:**
13. **CITY MANAGER COMMENTS:**
14. **CITY COMMISSION COMMENTS:**
15. **ADJOURNMENT:**

NOTE: If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.